

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL GARDNER,)	
)	
Plaintiff,)	
)	
v.)	No. 13 C 4315
)	
COUNTY OF COOK, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Michael Gardner ("Gardner") has filed a Notice of Appeal from this Court's July 11, 2013 judgment order dismissing his Complaint against a state court judge, a state court prosecutor and the County of Cook--the first two on grounds of absolute immunity, the third because no arguably viable claim was advanced against the County. It is understandably difficult for a nonlawyer to grasp the idea that judges and prosecutors engaged in carrying out the normal course of their responsibilities are insulated from being sued even if they reach incorrect decisions in doing so, but the United States Supreme Court has long since decided that sound public policy calls for conferring such absolute immunity, and all other federal courts are duty-bound to follow that lead. And Gardner's pejorative charges that in each case "perjury, malfeasance, and nonfeasance" were involved does not call for a different result.

It appears that nothing can persuade Gardner otherwise, because his mind is already made up. Accordingly all that can be

done is to rule on his current request to proceed on appeal with all fees waived. On that score the same principle announced in such cases as Lee v. Clinton, 209 F.3d 1025, 1026 (7th Cir. 2000), which caused the denial of in forma pauperis ("IFP") status for Gardner at the District Court level, also applies to require IFP denial on appeal, and this Court so orders. Gardner is of course free to present the same issue to the Court of Appeals.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is fluid and cursive, with the first name "Milton" and last name "Shadur" clearly legible.

Milton I. Shadur
Senior United States District Judge

Date: August 20, 2013